

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL ACTION</b>
	:	
	:	
<b>v.</b>	:	<b>NO. 04-758</b>
	:	
<b>JOHN SPANN</b>	:	
	:	

**ORDER**

**STENGEL, J.**

**AND NOW**, this 9th day of July, 2009, upon consideration of the defendant's Motion to Vacate and Set Aside Judgment (Document #71), Request for Discovery (Document #75), and Petition for Bail (Document #76), it is hereby ORDERED that:

1. The Motion to Vacate and Set Aside Judgment and the Request for Discovery are DENIED;
2. The Petition for Bail is DISMISSED as moot;
3. There is no probable cause to issue a certificate of appealability;
4. The Clerk of court shall mark this case CLOSED for statistical purposes.

BY THE COURT:

/s/ Lawrence F. Stengel  
LAWRENCE F. STENGEL, J.